

IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE

jc891 U.S. PTO



01/17/01

REQUEST FOR FILING
(RULE 53(b)(1))



00909

FOR DESIGN OR UTILITY APPLICATIONS
(DO NOT USE FOR CIPs)

Rule 53(b)(1) PATENT APPLICATION:

☒ Continuation)
,) application under 37 CFR 1.53(b)(1)
☐ Divisional)
of pending prior application of

Group Art Unit: 1631

Inventor(s): STANLEY, Christopher John

Examiner: J. Lundgren

| | | | | | |
|--------------------|---------------|--------------|------------|-----------|------------|
| Parent Appln. No.: | 09 | 313,385 | Atty. Dkt. | PM 275510 | P5642US |
| | Series Code ↑ | Serial No. ↑ | | New M# | Client Ref |

Parent Filed: May 18, 1999

This Appln. Filed: January 17, 2001

Title: USE OF NUCLEIC ACIDS BOUND TO CARRIER MACROMOLECULES

Hon. Commissioner of Patents
Washington, DC 20231

Date: January 17, 2001
(Parent Matter No. 260574)

Sir:

To effect the above-requested filing today:

Attached is a copy (**which must be filed**) of the prior application, including:

- ☒ Abstract
☒ Specification and claims (22 pages) (**must be attached**)
☒ Drawings (**must be attached if originally filed**): 1 sheet(s)/set: ☒ 1 set informal;
☐ Formal of size ☐ A4 ☐ 11"

1A. Always X one box, only:

- (1) ☒ Copy of Signed declaration or oath as originally filed in prior application attached
- (2) ☐ NO declaration or fee is enclosed; therefore, this is a filing under Rule 53(f).

2. ☐ This application is hereby filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this application (DELETE THE FOLLOWING INVENTOR(S)):

1. _____
3. _____
5. _____
7. _____

2. _____
4. _____
6. _____
8. _____

2.5 THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

1. _____
3. _____
5. _____
7. _____

2. _____
4. _____
6. _____
8. _____

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

PAT-108CN 10/00

12. ☒ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please consider those documents and advise that they have been considered in this new application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .
13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.
14. ☒ **PRELIMINARY AMENDMENT to be entered before fee calculation:** (Do not make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do not cancel all claims).

In claim 4, line 1 change "any one of Claims 1 to 3" to --Claim 1--.
 In claims 5 - 8, 12, 15 and 16, line 1, change "any preceding claim" to -- Claim 1 --.
 In claim 10, line 1, change "any one of Claims 1 to 7" to --Claim 1--.
 In claim 19, line 3, change "any one of Claims 1 to 17" to --Claim 1--.
 In claim 20, lines 3 and 4, change "any one of Claims 1 to 17" to --Claim 1--.

FILING FEE

THE FOLLOWING FILING FEE IS BASED ON
 -->-->-->CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14<--<--<--

NOTE: If box 1A2 is X'd, do not pay fees,
 but leave lines 15-22 and 27-32 blank.

PTO: PLEASE NOTE CLAIM CANCELLATIONS IF BOX 14 ABOVE IS X'D.

1933

| | | | | Large/Small Entity | | Fee Code |
|--------------------------------------------------------------------------|----|------------|---|-----------------------------|-------|----------|
| 15. Basic Filing Fee Design Application | | | | \$320/\$160 | | 106/26 |
| 16. Basic Filing Fee Utility Application | | | | \$710/\$355 | +710 | 101/201 |
| 17. Total Effective Claims | 22 | minus 20 = | 2 | x \$18/\$9 | +36 | 103/203 |
| 18. Independent Claims | 3 | minus 3 = | 0 | x \$80/\$40 | +0 | 102/202 |
| 19. If any proper multiple dependent claim (ignore improper) is present, | | | | \$270/\$135 | +0 | 104/204 |
| 20. | | | | Subtotal = | \$746 | |
| 21. If "petition" box 13 above is X'd, add petition fee. \$130 | | | | | +0 | 122 |
| 21A. If box 6 above is X'd, add Assignment recording fee \$ 40 | | | | | +40 | 581 |
| 22. | | | | TOTAL FILING FEE ATTACHED = | | \$786 |

(carry forward to Item 31)

23. ☐ ATTACHED:
24. ☐ Preliminary Amendment attached (to be entered after assigning Appln. No.)
25. ☐ The following PRELIMINARY AMENDMENT is to be entered after assigning Appln. No.:

26.

**ADDITIONAL FEE CALCULATION FOR
PRELIMINARY AMENDMENT
PER BOXES 24/25**

| | Claims remaining after amendment | Highest number previously paid for | Present Extra | Large/Small Entity | Additional Fee | File Code |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------|--------------------|-------------------|-----------|
| 27. | Total Effective Claims * | minus ** 20 | = 0 | x \$18/\$9 | = \$ 0 | (103/203) |
| 28. | Independent Claims * | minus *** 3 | = 0 | x \$80/\$40 | = + 0 | (102/202) |
| 29. | If amendment enters proper multiple dependent claim(s) into this application for the first time, add (per application)\$270/\$135 | | | | + 0 | (104/204) |
| 30. | ADDITIONAL FEE | | | | \$ 0 | |
| 31. | plus FEE from item 22 on page 3 | | | | + | |
| 32. | TOTAL FEE ATTACHED | | | | \$ 786 | |

*If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

**If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space



00909

Our Deposit Account No. 03-3975

| | |
|---------------------|---------|
| Our Order No. 11765 | 0275510 |
| C# | M# |

CHARGE STATEMENT: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

By Atty: Perry E. Van Over

Reg. No. 42197

Sig: [Signature]

Fax: (202) 822-0944

Tel: (202) 861-3545

Atty./Sec PEV/MJG

NOTE No. 1: File this Request in duplicate with 2 postcard receipts (PAT-103) & attachments

NOTE No. 2: Is extension in parent necessary for copendency? **DOUBLE CHECK** Item 11 above.

If yes, printout Pat-111 and head it in parent.